

TOWN BOARD MEETING  
February 17, 2005 - 7:00 PM

The meeting was called to order by Supervisor Hundt at 7:03 p.m.

Salute to Flag was conducted.

Emergency Exits were pointed out by the Supervisor.

Roll Call:

|                    |         |
|--------------------|---------|
| Councilman Devine  | Present |
| Councilman Russell | Present |
| Councilwoman Doyle | Present |
| Councilman Carroll | Present |
| Supervisor Hundt   | Present |

PUBLIC COMMENTS AT TOWN BOARD MEETINGS

Supervisor Hundt announced that the Public Comment period would be held at the end of the meeting tonight. In the future, Town Board meetings will be business meetings with the Public Comments period at the end of the agenda. Town Board workshop meetings will have Public Comment periods at the beginning and at the end of each meeting.

CHAMBER OF COMMERCE PRESENTATION

Garret Corcoran, head of The Amenia Chamber of Commerce, made a presentation about Chamber activities and goals. The Chamber is only two years old but already has 55 members. Mr. Corcoran highlighted the upcoming Technology Fair on Friday April 8 at Silo Ridge Country Club, as well as a new scholarship for a student pursuing a career in technology. He mentioned that the Amenia Chamber is part of a County-wide Chamber Alliance and also works with SCORE to provide advice for small businesses.

Margaret Swenseid, Tech Fair Project Manager, presented more details about the Tech Fair including an innovative "Analyze This" session where a small business can have its website analyzed by experts. Another feature of the Tech Fair will be a panel discussion on designing your home office. Michael Hagerty, Executive Director of the Harlem Valley Partnership, explained the role of his organization as co-sponsor for the Tech Fair. He sees the Tech Fair as key to putting Amenia and the Harlem Valley on the map in the area of technology.

Supervisor Hundt mentioned that she has approached Governor Pataki for keynote speaker. Last year the Tech Fair received a \$1,000 grant from the state.

MAPLEBROOK SCHOOL PRESENTATION

Jennifer Scully, Dean of Admissions, made a brief presentation about Maplebrook School. The internationally-recognized school is celebrating 60 years in Amenia and currently attracts students from 28 states and seven foreign countries. Ms. Scully announced a new scholarship program to provide two full scholarships for day students from the local area, valued at \$27,900 each. Applicants must live in the Webutuck School District and meet entrance criteria. The new building project underway at Maplebrook will accommodate more day students and should be ready by September

2005.

CODE ENFORCEMENT OFFICER

Michael Segelken, code enforcement officer, reported:

1. The owner of Maxon Mills has met the February 14 deadline to agreed to allow access to the property. The inspection date should be set by the end of this week. Councilwoman Doyle noted that the owner of Maxon Mills is Wassaic Agricultural Crossroads, Inc.
2. Fire inspections of all businesses and multi-family homes are being done and should be completed in the next month or so.

BUDGET AMENDMENT

Supervisor Hundt announced that a budget amendment was needed to cover unanticipated items. She then read Resolution # 6 of 2005, which detailed four different budget transfers:

- (a) Transfer \$1,000 from Contingency to Employee Benefits for Medical Insurance.
- (b) Transfer \$4,000 from Contingency to Account Support for accounting services provided to the Town Clerk's office and to the Town.
- (c) Transfer \$5,000 from Parks and Recreation Savings Account to Intermunicipal Recreation Contract to pay increased expenses related to the summer recreation program provided by the Village of Millerton.
- (d) Transfer \$825 from Parks and Recreation Savings Account to Bus Transportation to pay increased bus expenses for the eight week program.

Items (c) and (d) regarding transfers from the Parks and Recreation Savings Account were the subject of a lengthy discussion among the Town Board members and the Recreation Committee co-chair Peter Clair. Some agreed with the resolution and felt the monies should come from the Parks and Recreation Saving Account while others felt the monies should come out of the Contingency account.

RESOLUTION # 6 of 2005

MOTION: S/Hundt  
SECOND: C/Doyle  
ROLL CALL: C/Carroll - NAY C/Devine - NAY  
C/Doyle - AYE C/Russell - NAY  
S/Hundt - NAY  
MOTION FAILED 4 to 1.

Supervisor Hundt noted that the transfers for the medical insurance needed to be done tonight. Councilman Devine moved that items (a) and (b) from the original resolution be passed.

MOTION TO TRANSFER FUNDS FOR MEDICAL INSURANCE AND ACCOUNTING SERVICES

MOTION: C/Devine  
SECOND: C/Doyle  
ROLL CALL: C/Carroll - AYE C/Devine - AYE  
C/Doyle - AYE C/Russell - AYE

S/Hundt - AYE  
MOTION CARRIED 5 to 0.

#### PARKING FINES

Supervisor Hundt read Resolution # 7 of 2005 regarding fines imposed for violation of Chapter 101 article III "Restricted Parking for Snow Removal". Fines are not to exceed \$50 and a Public Hearing is to be held on March 17 at 7 o'clock.

#### RESOLUTION # 7 of 2005

MOTION: S/Hundt  
SECOND: C/Doyle  
ROLL CALL: C/Carroll - AYE C/Devine - AYE  
C/Doyle - AYE C/Russell - AYE  
S/Hundt - AYE  
MOTION CARRIED 5 to 0.

#### BAN RESOLUTION FOR LANDFILL CLEAN-UP

Supervisor Hundt commented on the ongoing situation of the Amenia Landfill clean-up. A resolution is needed for litigation fees for the project to move forward. Supervisor Hundt read Resolution # 8 of 2005 authorizing the issuance of a Bond Anticipation Note (BAN) and covering details related to it.

#### RESOLUTION # 8 of 2005

MOTION: S/Hundt  
SECOND: C/Carroll  
ROLL CALL: C/Carroll - AYE C/Devine - AYE  
C/Doyle - AYE C/Russell - AYE  
S/Hundt - AYE  
MOTION CARRIED 5 to 0.

#### DESIGNATION OF TOWN CLERK AS PUBLIC ACCESS OFFICER

Supervisor Hundt read Resolution # 9 of 2005 designating the Town Clerk as the records access officer for the Town of Amenia.

#### RESOLUTION # 9 of 2005

MOTION: S/Hundt  
SECOND: C/Russell  
ROLL CALL: C/Carroll - AYE C/Devine - AYE  
C/Doyle - AYE C/Russell - AYE  
S/Hundt - AYE  
MOTION CARRIED 5 to 0.

#### TOWN JUSTICE VACANCY

It is unclear if a special election needs to be held to fill the Town Justice vacancy or if an appointment can be made. Since the County Board of Elections has declined to put their opinion in writing, Town Attorney Michael Hayes is reluctant to go forward with an appointment without a written opinion on the validity of this move. Michael Hayes is contacting the NYS Attorney General's office to get a written opinion.

#### ZBA MEMBER APPOINTMENT

The term of Zoning Board of Appeals (ZBA) member Rudy Eshbach expired January 1, 2005. Since the ZBA has a policy to reappoint members without a formal re-application process, Supervisor Hundt

moved that the reappointment be made for a five-year term.

MOTION: S/Hundt  
SECOND: C/Doyle  
ROLL CALL: C/Carroll - AYE C/Devine - AYE  
C/Doyle - AYE C/Russell - AYE  
S/Hundt - AYE  
MOTION CARRIED 5 to 0.

#### RECREATION DIRECTOR - ADVERTISE

By way of background, Supervisor Hundt explained that the position of Recreation Director is included in the budget. County Personnel has a job description for this position, although they have some concerns because the Amenia position is not full-time. Councilman Devine noted that there are very specific qualifications that must be met for this position. Councilman Carroll moved that the Town Clerk be authorized to advertise for the position of Recreation Director in the three official newspapers of the Town for a period of two weeks. For the daily newspaper (The Poughkeepsie Journal) it is not necessary to advertise every day for two weeks, perhaps just Sunday and the Tuesday Career section. The position should also be advertised on the Town website and on the cable TV channel. As is normal procedure, the job listing and qualifications will be available in the Town Clerk's office.

MOTION: C/Carroll  
SECOND: C/Russell  
ROLL CALL: C/Carroll - AYE C/Devine - AYE  
C/Doyle - AYE C/Russell - AYE  
S/Hundt - AYE  
MOTION CARRIED 5 to 0.

#### WEBMASTER INTERVIEWS

Supervisor Hundt reported that about 20 applications have been received, most via email to the Town Clerk. This procedure seems to be working very well. The Technology Committee is reviewing the applications. The Town needs to decide how much to pay for this position considering that \$3,000 has been budgeted.

#### VERIZON CELLTOWER SERVICE

Supervisor Hundt noted that the Town should begin getting income from Verizon by March. Most of the construction is done and they are just waiting for some clean-up and the hook-up.

#### WASSAIC SIDEWALKS AND LIGHTING

Councilwoman Doyle said it was time to get bids for the sidewalks and lighting in Wassaic. A block grant was obtained last year to cover the cost. She read Resolution # 10 of 2005 authorizing the Town Clerk to solicit quotes for the installation of the Wassaic sidewalks and antique lighting. Councilman Carroll pointed out that we might receive separate bids for the two projects.

RESOLUTION # 10 of 2005  
MOTION: S/Hundt  
SECOND: C/Doyle

ROLL CALL: C/Carroll - AYE C/Devine - AYE  
C/Doyle - AYE C/Russell - AYE  
S/Hundt - AYE  
MOTION CARRIED 5 to 0.

#### YOUTH BUREAU GRANT

Supervisor Hundt announced that the dance program that was funded by the Dutchess County Youth Bureau grant last year cannot go on this year because the Luthers plan to move. Discussion followed as to the advisability of applying for the \$1100 grant due to the amount of paperwork involved. Councilwoman Doyle mentioned that she knew of someone who was interested in doing a vocal program that could be funded through this grant. Lana Anguin-Cohen alerted the Board that the deadline for the grant had passed and that the Town budget included monies for this 50-50 grant. Councilman Carroll moved to authorize Supervisor Hundt to sign the certification form to apply for the grant.

MOTION: C/Carroll  
SECOND: C/Doyle  
ROLL CALL: C/Carroll - AYE C/Devine - AYE  
C/Doyle - AYE C/Russell - AYE  
S/Hundt - AYE  
MOTION CARRIED 5 to 0.

#### LAND USE LAW CENTER OF PACE UNIVERSITY

Supervisor Hundt read Resolution # 11 of 2005 supporting the Land Use Law Center of Pace University.

##### RESOLUTION # 11 of 2005

MOTION: S/Hundt  
SECOND: C/Devine  
ROLL CALL: C/Carroll - AYE C/Devine - AYE  
C/Doyle - AYE C/Russell - AYE  
S/Hundt - AYE  
MOTION CARRIED 5 to 0.

#### MECHANIC STREET SIDEWALKS

Supervisor Hundt opened a discussion about the project to install a sidewalk on Mechanic Street starting at the Rail Trail. This is the project for which a \$100,000 grant has been obtained. The project cannot go forward until the legal right-of-ways have been taken care of. Therefore, Supervisor Hundt moved that the Town authorized the expenditure of \$500 for legal fees for this purpose. Councilman Devine expressed concern that money would be spent on a project that may later be rejected; however, he acknowledged that it did make sense to spend the money already allocated to keep the project on track. Councilman Carroll mentioned that Judge Manning wanted to see a sketch of how the sidewalk would look, although he (Judge Manning) seemed to like the idea.

##### MOTION TO AUTHORIZE \$500 FOR LEGAL FEES FOR MECHANIC STREET SIDEWALKS

MOTION: S/Hundt  
SECOND: C/Carroll  
ROLL CALL: C/Carroll - AYE C/Devine - AYE

C/Doyle - AYE                      C/Russell - AYE  
S/Hundt - AYE

## MOWING BIDS - AUTHORIZE TO ADVERTISE

Councilman Carroll read the list of areas to be covered by the mowing bid. To the list was added: "trim sidewalk on Mechanic Street by Town Hall within the town's right-of-way". Supervisor Hundt moved that the Town Clerk be authorized to advertise for mowing bids to cover the mowing season of May 1 through September 30. The ads should run for a two week period in March and the cut-off date to accept bids is April 14 at noon.

MOTION: S/Hundt  
SECOND: C/Devine  
ROLL CALL: C/Carroll - AYE C/Devine - AYE  
C/Doyle - AYE C/Russell - AYE  
S/Hundt - AYE  
MOTION CARRIED 5 to 0.

SALT SHED

Stanley Whitehead reported on the salt shed:

1. Proposed site is not in flood plain.
2. Structure being considered is a 60 x 80 Advanced Storage unit that will hold 3,000 tons of salt.
3. Cost is \$175,000 plus \$9,000 for blue prints.
4. Only \$150,000 has been budgeted.
5. Councilpersons Doyle and Carroll have been a great help on this project.

Councilwoman Doyle expressed her opinion that \$9,000 is an appropriate fee for blue prints. The contract specifies that Advanced Storage will provide additional services for this \$9,000 fee. The building is a wooden structure with a high arch Gambrel roof. This seems to be a much better solution than the fabric structures that were considered. Michael Hayes had some concerns about the contract, one of which has already been fixed. He wants to be sure that we have proper access to the salt shed, etc. Because of these concerns, the Town Board cannot authorize the plans tonight.

Supervisor Hundt stated that the Board would hold off on authorizing the \$9,000 until everything was in place.

## HIGHWAY DEPARTMENT TRUCK PURCHASE

Supervisor Hundt noted that the Town Board needed to authorize the purchase of the new truck. Councilwoman Doyle moved that Stanley Whitehead is authorized to solicit bids for the new truck.

MOTION: C/Doyle  
SECOND: C/Carroll  
ROLL CALL: C/Carroll - AYE C/Devine - AYE  
C/Doyle - AYE C/Russell - AYE  
S/Hundt - AYE  
MOTION CARRIED 5 to 0.

#### RECREATION COMMITTEE

Peter Clair reported:

1. met with the Lion's Club to discuss ballfields and dugouts.
2. not looking for money from the Lion's Club, just support and volunteers.
3. will proceed with plans and drawings.

#### Conservation Advisory Commission - CAC

Roger Russell reported:

1. CAC met last night.
2. Mark Doyle discussed the Natural Resources Inventory which will be included in the CPIC.
3. Two bird walks have been scheduled; see channel 22 for details.
4. CAC is in need of a couple new members.
5. Jane Watson is newest member of CAC.

#### WASTE WATER COMMITTEE

Bonnie Hundt reported:

1. Attorneys are working on a draft agreement with Silo Ridge to donate the property.
2. County Board of Health was in Amenia and reiterated the need for a sewer system.

#### ENHANCEMENT COMMITTEE

1. Peter Riva, former chair of the Enhancement Committee, reported that he had been asked to resume the chairmanship of the committee. He is willing to do so if the Town Board will support him. Councilman Russell thanked Peter Riva for all he has done for the Committee and said that he (C/Russell) would be glad to have Peter resume the committee leadership.
2. Peter Riva went on to explain that the Enhancement Committee is a group of volunteers who do fact-finding and make suggestions. They do nothing to put the Town Board in a bad position.
3. Councilman Carroll expressed some concern about a meeting held with the Mechanic Street businesses. Peter Riva responded that the meeting was a dialogue and would hopefully lead to consensus.

#### COMMITTEE APPOINTMENTS

Councilwoman Doyle moved that the following committee appointments be accepted:

Enhancement Committee - Lisa Coon, consultant  
Enhancement Committee chair - reinstate Peter Riva  
Conservation Advisory Commission - Jane Watson

MOTION: C/Doyle

SECOND: S/Hundt

ROLL CALL: C/Carroll - AYE                      C/Devine - AYE  
                  C/Doyle - AYE                      C/Russell - AYE  
                  S/Hundt - AYE

MOTION CARRIED 5 to 0.

COMMENT: Councilman Russell reported that at the Rec Committee meeting, there were some extra volunteers who wanted to join the committee. Referring to committee size, Councilwoman Doyle stated that the size of the commissions is set by law at six members.

The size of committees is set by policy. At this point, Peter Clair said that he did not wish to deviate from past practice and he would limit the Rec Committee to six members.

#### TOWN CLERK REPORT

Gail Hermosilla reported:

1. to date, taxes have been received in the amount of \$839,000.
2. In the course of responding to FOIL (Freedom Of Information Law) requests, it has been discovered that some of the Town Clerk records are incomplete. This is being worked on.
3. The Town Clerk office will be closed Monday February 21 through Wednesday February 23, reopening Thursday February 24, due to the training sessions in New York City.

#### WATER REPORT

Gary Bonds reported that one of the Town wells had a problem and will be tested every month from now on.

#### TECHNOLOGY COMMITTEE

Lou Cesa reported:

1. Webmaster applications need to be evaluated.
2. The Technology Committee will meet on Friday February 25 at 4:00 at Town Hall.

#### SUPERVISOR'S REPORT

Supervisor Hundt reported:

1. The assessor was told that the Town must have a resignation before a member can be replaced.
2. Friday March 4 at 2:15 is Read-Aloud Day at Amenia Elementary School. Interested parties should call the school at 373-4122.
3. All are encouraged to take part in the Tech Fair.
4. Despite the negative press lately, much of the time the Town Board gets along well. The end-of-the-year report shows accomplishments last year and we want to keep moving in a positive way.

#### TOWN BOARD COMMENTS

Councilwoman Doyle reported:

1. Friday March 18 is National Agricultural Day starting with a free breakfast at 7:30. Reservations can be made through Councilwoman Doyle.
2. Clean-up of a section of Route 22 just south of The Pines Restaurant is scheduled for Saturday May 7 at 9:30 a.m. Gino will provide breakfast followed by the clean-up work from 10:00 till 12:00 noon. Call Gino at 877-6093 for details. The CAC and others are participating.

#### PUBLIC COMMENTS

1. Michael Collins read a prepared statement in which he outlined seven specific areas of the downtown Amenia business district that are visually unsightly. He showed photographs of the following taken on February 9:
  - a. snow-covered sidewalk.
  - b. 1,000-pound block of dumped concrete.



- c. discarded appliances behind Sears.
- d. large ugly sign in front of Subway shop.
- e. discarded paint cans.
- f. weeds lining part of East Main St.
- g. abandoned car at Town Hall.

Michael Collins voiced his opinion that these must be addressed before we spend more taxpayer money on additional enhancements that the Town may not be able to maintain. Councilwoman Doyle invited Michael Collins to come to an Enhancement Committee meeting to voice his concerns.

2. Rose Greer, Bookkeeper to the Supervisor, made the following comments:
    - a. Some citizens have requested information about TRI-Wall. TRI-Wall was sold to Pawling Corp. in 1992 and the money placed in a non-interest-bearing general fund until December 1995. The Town Board voted to put \$200,000 in a CD (Certificate of Deposit) and \$100,000 in a vehicular CD. The CDs were established and have earned interest since 1996. Last year, the vehicular money was spent, including interest. About \$105,000 had been appropriated for site clean-up. Only \$300,000 remains of the \$500,000.
    - b. The books for the Bookkeeper are in order.
    - c. The bookkeeper has caused the Town to earn \$18,000 in interest on CD investments.
    - d. The budget was not the doing of the bookkeeper. The budget was prepared and the bookkeeper put it into the computer.
  3. Eliot Soroka read a letter from the Osborne family praising two Town Board members (Councilmen Carroll and Devine) for standing up for the town people.
  4. Jean Rebillard commented that Supervisor Hundt is the designated Budget Officer and responsible for the budget. (Supervisor Hundt acknowledged that she takes responsibility.) Jean Rebillard went on to lament that procedural changes have not happened, except for tonight's Town Board meeting. Finally, Jean Rebillard asked: "who in September 2004 made the decision to pay Town Justice Moore two salaries? The resolution came five months later."
- Councilman Devine remarked that he wished we could get the budget thing behind us. He added that advice was given that wasn't good advice.
- At this point, Jean Rebillard announced that she was resigning from the Recreation Committee co-chair position effective immediately.
5. Peter Clair asked why things weren't discussed at the workshop meetings. He mentioned that \$12,000 had been appropriated by the Town to the Recreation Committee from the Cell Tower revenue. He was under the impression that this money could only be used for capital improvements. On another topic, he noted that a FOIL to an escrow account revealed that the bookkeeper had been taking out \$25 a month and cashing the check. Was this a maintenance fee?
  6. Brad Rebillard made a brief statement in support of bookkeeper Rose Greer.

MOTION TO GO INTO EXECUTIVE SESSION

MOTION: S/Hundt  
SECOND: C/Devine  
ROLL CALL: C/Carroll - AYE C/Devine - AYE  
C/Doyle - AYE C/Russell - AYE  
S/Hundt - AYE  
MOTION CARRIED 5 to 0.

MOTION TO RETURN TO REGULAR MEETING

MOTION: S/Hundt  
SECOND: C/Doyle  
ROLL CALL: C/Carroll - AYE C/Devine - AYE  
C/Doyle - AYE C/Russell - AYE  
S/Hundt - AYE  
MOTION CARRIED 5 to 0.

ADJOURNMENT

MOTION: C/Devine  
SECOND: S/Hundt  
ROLL CALL: C/Carroll - AYE C/Devine - AYE  
C/Doyle - AYE C/Russell - AYE  
S/Hundt - AYE  
MOTION CARRIED 5 to 0.

Meeting was adjourned at 10:25 p.m.

Respectfully submitted,

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Gail Hermosilla,  
Amenia Town Clerk